

DATE: April 26, 2007

TO: CVRC Board of Directors
Redevelopment Agency Board of Directors
Mayor and Councilmembers

VIA: Jim Thomson, Interim City Manager *JT*
Ann Hix, Acting Community Development Director *@ for AH*

FROM: Mary Ladiana, Planning Manager *ML*

SUBJECT: Public Hearing to Consider Adoption of the Urban Core Specific Plan
and related actions

Item Title:	Public Hearing: Consideration by the Chula Vista Redevelopment Corporation, City of Chula Vista Redevelopment Agency and City of Chula Vista City Council of the Urban Core Specific Plan (PCM No. 07-01) and related rezoning actions
	Resolution: Of the Chula Vista Redevelopment Corporation recommending that the City Council Adopt a Resolution Certifying Final Environmental Impact Report for the Urban Core Specific Plan (EIR # 06-01, SCH #2005081121), and Adopting the Urban Core Specific Plan (PCM No. 07-01) and related rezoning actions
	Resolution: Of the Chula Vista Redevelopment Corporation recommending that the City of Chula Vista City Council Adopt the 2007 Amendment of the Town Centre I Redevelopment Plan
	Resolution: Of the Chula Vista Redevelopment Corporation recommending that the City of Chula Vista Redevelopment Agency Rescind Certain Implementing Documents and Requirements of the Town Centre I Redevelopment Plan

	Resolution: Of the Chula Vista Redevelopment Agency Adopting a Resolution Rescinding certain Implementing Documents of the Town Centre I Redevelopment Plan.
	Resolution: Of the Chula Vista City Council Adopting a Resolution Certifying Final Environmental Impact Report for the Urban Core Specific Plan (EIR # 06-01, SCH #2005081121)
	Ordinance: Of the Chula Vista City Council Introducing an Ordinance Approving the Urban Core Specific Plan
	Ordinance: Of the Chula Vista City Council Introducing an Ordinance Adopting the 2007 Amendment to the Town Centre I Redevelopment Plan

INTRODUCTION

With the adoption of the General Plan on December 13, 2005, the Urban Core Specific Plan (UCSP) is the next critical planning document necessary to facilitate revitalization of western Chula Vista, in particular the City's urban core. The UCSP is the first in a series of significant zoning changes proposed to implement the vision established by the 2005 General Plan.

The new land use designations provided under the 2005 General Plan require new zoning regulations, in particular mixed use and urban core residential zoning districts, to ensure the systematic implementation of the 2005 General Plan. This requirement to have zoning consistent with the City's General Plan is established in Chula Vista Municipal Code (CVMC) Section 19.06.030. The UCSP also allows comprehensive planning of issues beyond parcel-specific zoning, including planning for improvements and amenities within the public realm throughout the larger urban core, as well as linkages to the Bayfront and thriving communities in the eastern portion of Chula Vista.

The current Public Hearing Draft UCSP represents the culmination of a significant planning process that has occurred over the last two-and-a-half years. The current UCSP and EIR (**Attachments 1 and 2**), or various components thereof, have undergone extensive public review and discussion, and have been reviewed and recommended for approval by the Resource Conservation Commission, Design Review Committee, and the Planning Commission over the last six months, as described in this report.

State law (Government Code 65854-65861) establishes the process for adopting zone changes of property and requires that the Planning Commission hold a public hearing on proposed rezoning actions and provide a written recommendation to the City Council. Additionally, pursuant to CVMC 2.55.050, the Chula Vista Redevelopment Corporation performs the same legislative functions as the Planning Commission for areas within the City's redevelopment areas, and therefore, a public hearing of the CVRC on the proposed rezoning actions and a written recommendation to the City Council is required.

This report is intended to provide the relevant information on the necessary actions for the decision making bodies of the Chula Vista Redevelopment Corporation and City Council. A separate report covering the actions of the City of Chula Vista Redevelopment Agency is contained in **Attachment 3**.

BACKGROUND

In December 2005, after a multi-year planning process, the Chula Vista City Council adopted a new General Plan that represents the vision for the City through the year 2030. A significant component of the 2005 General Plan described a new vision for portions of the City referred to as the "urban core" (see map, **Attachment 4**). The long-range vision as described in the 2005 General Plan anticipates that:

"The urban core has developed into a vibrant area, with housing; shops; restaurants; entertainment; and activities that attract from eastern Chula Vista and city-wide. Higher density housing, shopping, and job centers are located near the major transit stations, including E Street and Interstate 5; H Street and Interstate 5; and near Third Avenue and H Street. These key activity nodes give people transportation choices, encourage the use of mass transit, and help to reduce vehicular traffic. They are accentuated by landmark building design, and for the two Transit Focus Areas at E Street/Interstate 5 and H Street/Interstate 5, strategic use of some taller (high-rise) structures that draw attention, and provide unique identities for these important gateway entrances to the urban core and the bayfront. A network of linked urban parks and plazas creates pleasant pedestrian routes and provides areas for community activities. Increased population (residents and workers) in the Urban Core Subarea has created opportunities for more shops and a variety of restaurants. Entertainment and cultural arts are housed in new and renovated buildings, offering both day and evening activities. The streets are bustling with shoppers and people enjoying outdoor dining or heading to entertainment venues.

A grade-separated trolley line at E and H Streets has improved the flow of east-west traffic, while a local shuttle provides frequent service between Urban Core Subarea activity centers. The Bus Rapid Transit (BRT) line allows residents in the East Planning Area convenient access to the Urban Core Subarea.

F Street is a pedestrian-oriented promenade that links Third Avenue; the Civic Center; Broadway; the E Street transit center; and the Bayfront Planning Area with themed landscaping and public art. The freeway crossings of Interstate 5 have been widened to accommodate additional pedestrian use, and entryways into the Urban Core Subarea are enhanced and inviting. Chula Vista's Urban Core Subarea has matured into an urban, pedestrian-oriented, active area that continues to be the primary economic, governmental, and social focal point of the south San Diego County region."

As a companion document to the 2005 General Plan, the City began work to develop implementing regulations, standards and design guidelines in the form of a specific plan, consistent with the vision described above. The concurrent drafting of the UCSP allowed for seamless integration of the new objectives and policies established for the urban core with the intended goal to have the planning tools (e.g. new zoning) in place shortly after adoption of the General Plan. To that end, the consulting firm of RRM Design Group was retained in January 2004 to assist staff in the preparation of the UCSP. In August 2004, the City Council appointed an 18 member Advisory Committee to work with the City's staff team and the community in developing some of the major components of the UCSP. A two day charette kicked off the Committee's work and was followed shortly thereafter with the first community workshop.

Based on input from those meetings, draft "Vision Plans" were created to set the framework for developing the plan. The draft Vision Plans were presented to the UCSP Advisory Committee, followed by presentation to a joint City Council/Planning Commission workshop on November 17, 2004, and a second community workshop. A positive reaction to the Vision Plans was received.

During the first half of 2005, well-attended monthly meetings were held with the Advisory Committee to work through significant planning issues such as new permitted land uses, development standards, design guidelines, and gateway design elements. A preliminary draft plan incorporating Advisory Committee and other input on key components was then prepared.

Following the adoption of the General Plan in December 2005, a preliminary "Public Review Draft" UCSP was presented to the Advisory Committee in March 2006. In addition, a third community workshop, jointly sponsored by the Northwest Civic

Association and Crossroads II, was held to provide the community with an overview of the UCSP and garner additional preliminary input on the draft UCSP. Feedback from both of these events was considered and incorporated, as determined appropriate by staff and the consultant team, into a "Public Review Draft" released with the Draft Environmental Impact Report (DEIR) in May 2006.

During the formal 45-day Public Comment and Review period for the DEIR, information sessions/workshops were held with the Design Review Committee, Planning Commission, and Chula Vista Redevelopment Corporation (CVRC). Also, in addition to the standard process of submitting written comments during the 45-day public review period, the public was afforded an opportunity to provide oral comments on the DEIR at a public hearing before the CVRC on July 13, 2006. A total of 13 comment letters were also submitted on the DEIR.

Staff has analyzed the public input received at public hearings and has recommended certain revisions to the UCSP. These revisions are reflected in the "Public Hearing Draft" UCSP (previously provided to the CVRC under separate cover), as well as Errata sheets showing the proposed revisions to both the Public Hearing Draft UCSP and Final EIR (FEIR). In addition, comment letters on the DEIR and written responses are provided in the FEIR.

Environmental Determination

The City's Environmental Review Coordinator reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and determined that an EIR was required. An FEIR has been prepared for the UCSP and related actions, and was made available at least 10 days prior to the City Council hearing date (pursuant to PRC Section 21092.5. and Section 15088(b) of the CEQA guidelines). The Final EIR identifies that the proposed project would result in significant, unmitigated impacts related to air quality, cultural resources, energy, and transportation. Impacts to geology, hazards, hydrology, land use, landform alteration/aesthetics, noise, paleontology, population and housing, public services, and public utilities are less than significant or mitigated to less than significant. More detailed information on the environmental analysis of the UCSP is included later in this report under Sections B and D, and in **Attachment 2**, FEIR Errata.

RECOMMENDATION

Staff recommends that:

1. The CVRC recommend that the City Council Adopt a Resolution Certifying the Final Environmental Impact Report for the Urban Core Specific Plan (EIR # 06-01, SCH #2005081121), and Adopting the Urban Core Specific Plan (PCM No. 07-01) and related rezoning actions, including revisions recommended in this report; and
2. The CVRC recommend that the City Council Adopt the 2007 Amendment of the Town Centre I Redevelopment Plan; and
3. The CVRC recommend that the Redevelopment Agency Adopt a Resolution Rescinding certain Implementing Documents and Requirements of the Town Centre I Redevelopment Plan; and
4. The Redevelopment Agency Adopt a Resolution Rescinding Implementing Documents of the Town Centre I Redevelopment Plan; and
5. The City Council Adopt a Resolution Certifying Final Environmental Impact Report for the Urban Core Specific Plan (EIR # 06-01, SCH #2005081121); and
6. The City Council Introduce an Ordinance Approving the Urban Core Specific Plan, including revisions recommended in this report; and Amending the Zoning Map; and
7. The City Council Introduce an Ordinance Adopting the 2007 Amendment to the Town Centre I Redevelopment Plan.

DECISION MAKER CONFLICT

Staff has reviewed the property holdings of the City Council/Agency Board and CVRC Members and has found that Councilmember Steve Castaneda and Councilmember Rindone have property holdings within 500 feet of the boundaries of the areas that are the subject of this action. Although this could create a conflict for the UCSP, pursuant to California Code of Regulations section 18704.2, no conflict exists.

BOARDS/COMMISSIONS RECOMMENDATION

Resource Conservation Commission – The Resource Conservation Commission (RCC) reviewed the Draft EIR for the Urban Core Specific Plan (EIR # 06-01, SCH #2005081121) on July 10, 2006. After reviewing and discussing the document, the RCC voted 5-0-0-1 (Commissioner Stillman abstained) that the DEIR was adequate as presented.

Design Review Committee – The Design Review Committee (DRC) reviewed the proposed Design Guidelines included in the Public Hearing Draft Urban Core Specific Plan, specifically Chapter VII. Design Guidelines and Chapter VIII. Public Realm Design Guidelines on September 25, 2006. The DRC of the City Of Chula Vista voted 3-0-2-0 (Members Hogan and Justus absent) to Approve the Resolution recommending that the City Council of the City Of Chula Vista Adopt the Design Guidelines contained in the Public Hearing Draft UCSP (PCM No.07-01).

Planning Commission – The Planning Commission reviewed the Public Hearing Draft UCSP (PCM No.07-01) on October 11, 2006 and again on March 28, 2007. As required by Government Code Section 65854, after reviewing and considering the Public Hearing Draft UCSP (PCM No.07-01), the Planning Commission of the City Of Chula Vista voted 5-0-2 (with Commissioners Moctezuma and Bensoussan abstaining) to Approve a Resolution recommending City Council Adopt the UCSP (PCM No.07-01) and related rezoning actions, with two modifications to the draft PC Resolution PCM 07-01. In general, the changes recommended by the Planning Commission addressed residential parking standards (preference for basing standard on the number of bedrooms rather than a uniform standard); and adding two small parcels to Subdistrict V-3, as requested by a property owner. These recommendations are discussed later in this report in Sections D and G.

DISCUSSION

The following section includes: A) a summary of the statutory requirements of specific plans and location in the Draft UCSP; B) a brief overview of the UCSP and EIR, including a summary of discretionary implementing actions; C) a consistency analysis of the UCSP with the 2005 General Plan; and D - G) summary of key policy issues raised during the public review process with associated staff recommendations.

A. STATUTORY REQUIREMENTS OF SPECIFIC PLANS

The UCSP has been prepared pursuant to the authority granted in CVMC Chapter 19.07, Specific Plans, and the California Government Code, Title 7, Division 1, Chapter

3, Article 8, Sections 65450 through 65457, and contains all the mandatory elements identified in Government Code Section 65451, as follows:

Chula Vista Municipal Code Section 19.07.011 (as amended by City Council on April 12, 2007)	Government Code Section 65451 Requirements	Where Found in UCSP
The specific plan shall include: a statement of the relationship of the specific plan to the general plan.	The specific plan shall include a statement of the relationship of the specific plan to the general plan.	Chapter II
The type, distribution, location, amount, intensity of all land uses, within the area covered by the plan.	The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.	Chapters VI, VIII, and Appendix E
The approximate total population anticipated with the Plan's area.		Chapters II, IX, and Appendix E
A depiction of any and all subareas or other districts within which the Plan's provisions will be applied.		Chapters II and VI
Standards, regulations, criteria and guidelines by which all development shall proceed within the Plan and any of its subareas or districts.	Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.	Chapters VI, VII and VIII
The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.	The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.	Chapters V, VIII, IX, and Appendix E

Chula Vista Municipal Code Section 19.07.011 (as amended by City Council on April 12, 2007)	Government Code Section 65451 Requirements	Where Found in UCSP
<p>A program indicating how and when the facilities and services to support the developing land uses will be installed or financed, and including the following:</p> <p>a. A list of facilities and services</p> <p>b. An inventory of present and future requirements for each facility and service based upon the City's Growth Management Thresholds Standards</p> <p>c. A phasing schedule that addresses the timing for installation or provisions for required facilities and services.</p> <p>d. A financing program identifying the methods for funding those facilities and services consistent with the phasing schedule, and insures that the funds are spent on said facilities pursuant to the phasing schedule.</p>	<p>A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry the above.</p>	<p>Chapters IX, X, Appendix D, and Appendix E</p>
<p>Provisions and procedures for the comprehensive implementation and administration of the Plan</p>		<p>Chapters X, XI, and FEIR</p>

In addition, CVMC Chapter 19.06 sets forth the statutory authority for the adoption of implementing ordinances, including specific plans, to implement the general plan. The CVMC states that:

"The systematic implementation of the general plan or any general plan element as provided in Section 65303 of the Government Code of the state may be undertaken by the adoption of specific plans, which shall include all detailed regulations, conditions, programs and proposed legislation which may be necessary or convenient for such implementation...."

CVMC Chapter 19.07 incorporates by reference the section of the California Government Code relating to the administration of specific plans and further states:

“Specific plans may be implemented through the adoption of standard zoning ordinances, the planned community zone, as provided in this title, or by plan effectuation standards incorporated within the text of an individual specific plan. The method of implementing an individual specific plan shall be established and expressed by its adopting resolution or ordinance.”

The UCSP has been prepared as an implementing document for future land uses, public improvements, and programs as set forth in the 2005 General Plan. The new zoning regulations proposed in the UCSP would replace existing Municipal Code zoning classifications for the UCSP Subdistricts Area and introduce new zoning classifications for mixed-use retail/office, mixed-use residential, and Urban Core (high density) residential as identified in the 2005 General Plan. The UCSP would be adopted by Ordinance of the City of Chula Vista City Council.

B. OVERVIEW OF THE URBAN CORE SPECIFIC PLAN AND ENVIRONMENTAL IMPACT REPORT

Urban Core Specific Plan

The Specific Plan area is an approximately 1,700-acre area generally located east of I-5, west of Del Mar Avenue, north of L Street, and south of C Street (**Attachment 4**). While there are approximately 1,700 acres within the UCSP boundary, the new zoning regulations and design guidelines would apply only to the approximately 690 acres referred to as the “Subdistricts Area” which reflect the focused areas of change described in the 2005 General Plan. The new regulations would accommodate new growth and revitalization of the Subdistricts Area and would be applicable to new development or redevelopment projects. Outside of the Subdistricts Area, existing zoning would not be changed.

One of the primary goals of the UCSP is to create a comprehensive and understandable regulatory framework that attracts investment and provides a catalyst for revitalization. This revitalization, in turn, results in pedestrian-friendly environments, gathering places and public amenities through community development. To achieve this goal, the UCSP is based on many of the common elements and concepts of smart growth, such as providing a mix of compatible land uses, utilizing compact building design, providing a range of housing opportunities and choices, creating walkable neighborhoods, and increasing transportation choices.

The UCSP includes the following elements:

- Permitted land uses, development regulations, and standards, all established through new zoning (Chapter VI)
- Mobility recommendations that address pedestrian, bicycle, transit, automobile and parking opportunities (Chapter V);
- Development Design Guidelines provided for development within the three UCSP Districts, as well as special guidelines for hotels, mixed-use projects, multi-family residential projects, and sustainability principles (Chapter VII);
- Public Realm Design Guidelines that focus on ways to create more attractive and pedestrian-friendly public environments and gathering places (Chapter VIII); and,
- Assessment of Infrastructure and Public Facilities needs and a Plan Implementation Program that identifies the implementation programs that will result in the desired changes emphasized in the UCSP (Chapters IX and X).

The 690-acre UCSP Subdistricts Area encompasses three planning districts: the Village, the Urban Core, and the Corridors. These three districts are refined into 26 smaller planning subdistricts, each with proposed land use mixes, development regulations and standards. The new zoning regulations would replace existing Municipal Code zoning classifications for the UCSP Subdistricts Area and would introduce new zoning classifications for mixed-use retail/office and residential, and urban core residential (high-density I) as anticipated by the 2005 General Plan. In place of traditional zoning classifications (e.g. R-3 Multi-Family; CC Central Commercial, etc), subdistricts are identified with a numeric designator (e.g. V-2) as well as a subdistricts name (e.g. Village). The designators correspond to the individual zoning regulations and standards crafted for each subdistrict.

Consistent with the 2005 General Plan, projected maximum potential buildout in the UCSP by the year 2030 is described below.

Land Use	Existing	Net Increase	Total
Multi-family residential	3,700 dus	7,100 dus	10,800 dus
Commercial retail	3,000,000 sf	1,000,000 sf	4,000,000 sf
Commercial office	2,400,000 sf	1,300,000 sf	3,700,000 sf
Commercial-visitor serving		1,300,000 sf	1,300,000 sf

The above buildout projections are estimates. Due to a number of factors unique to urban revitalization, the exact extent, timing and sequence of infill development that may occur over the 25-year planning horizon is difficult to ascertain. These factors may include, but are not limited to: 1) new development which will likely not redevelop

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again over the next 25 years; 2) increased development costs associated with acquisition, demolition, and cleanup of urbanized land; 3) longevity of other existing commercial uses and existing housing stock; and 4) project specific economics that result in less than maximum buildout on a parcel.

The following is a summary of the discretionary actions associated with the Draft UCSP:

ACTION	PURPOSE
Urban Core Specific Plan Adoption	To implement the objectives and policies of the recently updated Chula Vista General Plan
Urban Core Specific Plan Final EIR Certification	To comply with State-required environmental review of the proposed Urban Core Specific Plan
Town Centre I Redevelopment Plan Amendment	To delete existing land use regulations and instead defer to the land use development and design provisions of the Urban Core Specific Plan
Town Centre I Land Use Policy Repeal	Regulation of permitted land uses within the Chula Vista urban core will instead be pursuant to the Urban Core Specific Plan Land Use Matrix
Town Centre I Design Manual Repeal	Guidelines for design of development within the Chula Vista urban core will instead be pursuant to the Development Design Guidelines of the Urban Core Specific Plan
Town Centre I Requirement for a Owner Participation Agreement Repeal	To eliminate the requirement for an Owner Participation Agreement for all Major Remodeling or New Construction Projects, defined as a minimum expenditure of \$10,000, and instead defer to the regulations and procedural guidelines of the Urban Core Specific Plan, including the definition of major projects

The actions related to the Town Centre I Redevelopment Project Area are tied to the adoption of the UCSP because of existing language and requirements within the Redevelopment Plan that relate to development and design standards and procedural requirements. Adoption of the UCSP will result in a conflict with the existing language and guidelines set forth within Town Center I Redevelopment Plan. Therefore, certain language and requirements must be deleted to ensure that these working documents are compatible with each other.

Attachment 3 is the Agency's Report to the City Council on the proposed 2007 Amendment for the Town Centre I Project Area, which has been prepared pursuant to Sections 33457.1 and 33352 of the California Community Redevelopment Law, Health

and Safety Code Section 33000 et seq. Pursuant to Section 33352 of the Law, the Agency is required to submit a Report containing specific documentation regarding the proposed 2007 Amendment. This information, documentation and evidence are provided to assist the City Council in its determinations in connection with its adoption.

Environmental Impact Report

Section 21002 of the California Environmental Quality Act (CEQA) requires that an environmental impact report identify the significant effects of a project on the environment and provide measures or alternatives that can mitigate or avoid those significant effects. This UCSP EIR contains an environmental analysis of the potential impacts associated with implementing the proposed UCSP.

The UCSP EIR has been prepared as a Program EIR, as defined in Title 14, Chapter 3, Section 15168 of the California Code of Regulations (CCR), also known as the CEQA Guidelines). A Program EIR is used when there are a series of actions that are related geographically, as logical parts in a chain of contemplated actions, or in connection with the issuance of plans that govern the conduct of a continuing program [CCR Section 15168 (a)]. The advantages of a Program EIR include: the ability to provide a more exhaustive consideration of alternatives and cumulative effects than is possible in a single project specific EIR; to avoid duplicative analysis of basic policy issues; and to provide the Lead Agency (City of Chula Vista) with the ability to consider broad, program-wide policies and mitigation measures that would be applied to specific projects within the overall program [CCR Section 15168 (b)]. In addition, a Program EIR is intended for use by both the City of Chula Vista as Lead Agency, as well as other Responsible Agencies when taking action on subsequent permits to allow development in accordance with the proposed UCSP.

The major issues that are addressed in the UCSP EIR were determined based on review by the City of Chula Vista Environmental Review Coordinator, Community Development Department, and public comment received on the Notice of Preparation (distributed in August, 2005). The issues analyzed in the EIR include land use, landform alteration and visual quality, cultural resources, geology and soils, paleontological resources, population and housing, hydrology and water quality, traffic, circulation and access, noise, air quality, public services, public utilities, and public health hazards.

The Draft EIR was distributed for a 45-day public review period on May 31, 2006; 13 public comment letters were received. Additionally, a CVRC public hearing was held on July 13, 2006 to receive any oral comments on the DEIR. The Final EIR includes all comments received, and responses to them.

After completion and public review of the Draft EIR, some revisions to the Public Review Urban Core Specific Plan were identified by City staff in order to refine plan implementation, respond to issues raised by public input, and to correct minor inaccurate information. All of the refinements and corrections were reviewed, and the majority of them did not affect the impact analysis and/or significance conclusions in the DEIR. An evaluation of these changes is summarized in the Errata published with the UCSP FEIR in September 2006. It should be noted that the changes regarding building height exceptions of up to five feet for ground floor uses, and for allowing limited neighborhood serving commercial uses in the V-1 subdistrict have subsequently been removed for consideration at a later date.

Subsequently, in response to public input provided at the October 11, 2006 and March 28, 2007 Planning Commission hearings, some additional minor modifications have been proposed to the Urban Core Specific Plan (see sections D and E of this report). An evaluation of each of these modifications as they relate to the impacts identified in the FEIR has been included in Sections D and E, as well as in the Second Errata to the FEIR (included in **Attachment 2**). As described in Sections D E, and Attachment 2, none of the additional proposed modifications would change the impact analysis and/or significance conclusions in the FEIR.

The Draft and Final EIRs identify that the proposed project would result in significant, unmitigated impacts related to air quality, cultural resources, energy, and transportation. Findings of Fact and a Statement of Overriding Considerations will be required to be adopted for these unmitigated impacts. Impacts to geology, hazards, hydrology, land use, landform alteration/aesthetics, noise, paleontology, population and housing, public services, and public utilities were found to be less than significant or mitigated to less than significant. For those impacts with associated mitigation a Mitigation Monitoring and Reporting Program (MMRP) has been provided with the FEIR.

Any development proposed in the area covered by the UCSP will require design review and approval of a discretionary Urban Core Development Permit. Section 15168 of the State CEQA Guidelines defines the process wherein a Program EIR serves as the basis for environmental review of subsequent projects. Sections 15182 and 15183 of the CEQA Guidelines provide additional review guidance for projects proposed in accordance with an adopted Specific Plan, or consistent with adopted Community Plans, General Plans or Zoning.

The FEIR for the UCSP -- which is a Program EIR -- will be used by the City of Chula Vista for discretionary actions associated with subsequent development and other activities within the UCSP area which require CEQA review. Projects will be reviewed

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under CEQA and in light of the FEIR, and a Secondary Study will be prepared to determine if the FEIR adequately addresses the potential environmental impacts of the proposal. If it does, no additional environmental review is required. If not, additional environmental documentation would be required in the form of a Subsequent or Supplemental EIR, an Addendum, or a Mitigated Negative Declaration. This subsequent project review process is outlined in detail in the Section 2.3.3 of the FEIR.

C. CONSISTENCY OF UCSP WITH THE 2005 GENERAL PLAN

The proposed UCSP is based on the objectives provided in the 2005 General Plan and provides further detail on how these objectives will be implemented. The components of the UCSP implement the 2005 General Plan vision of a vibrant urban core and include mobility recommendations, land use and development regulations, development design guidelines and incentives, public realm design guidelines, infrastructure and public facilities improvements, and a community benefits program. The concurrent drafting of the UCSP alongside the 2005 General Plan allowed for seamless integration of the many new objectives and policies established for this area of the City.

A consistency analysis between the General Plan and UCSP has been prepared and is provided as **Attachment 5** to this report. The analysis provides a summary of the major components of the UCSP and identifies the 2005 General Plan Objectives related to the Urban Core and the relevant sections of the UCSP.

To monitor progress towards implementing the land use goals envisioned by both the 2005 General Plan and UCSP, a series of checks and balances are proposed. These include annual review of new development under the City's Growth Management Ordinance, bi-annual review of amenities and facilities implementation in conjunction with the City's budget/CIP review cycle, and five-year assessments of the progress of the UCSP.

D. ISSUES RAISED DURING PUBLIC REVIEW OF THE DRAFT UCSP (5/31/06 – 7/13/06)

The following topical issues were raised during review of the Public Review Draft UCSP and during the 45-day public comment period for the DEIR, *and have resulted in some staff recommended changes in the UCSP*. This section provides a summary and analysis of and recommendation about these issues. Issues included in this section are generally those raised by a number of people or those with significant implications to successful implementation of the UCSP. A complete set of the public comments received on the Public Review Draft UCSP is attached to the end of this report

(Attachment 6). *Issues raised that did not result in recommended changes to the UCSP at this time are discussed in Section G.*

1. Issue: Building Heights along Third Ave between E Street and G Street should either be higher or lower.

Analysis: Some concerns related to building height and intensity for the Village area between E Street and G Street were raised during public review. The Third Avenue Village Association (TAVA) indicated that the proposed height (maximum 45 feet) of buildings along the majority of the Third Avenue frontage was too low and that a height of 60 feet along and east of Third Ave was more appropriate. In contrast, Crossroads II and Northwest Civic Association indicated heights of buildings between E and G Streets should not exceed a maximum height of 45 feet.

The current Central Business (CB) zone, which applies all along Third Ave frontage, has no height limit. The preliminary draft of the UCSP had proposed up to 84 feet for the entire length of Third Avenue. However, in response to public comments made at numerous UCSP Advisory Committee meetings held during 2005, the proposed height was reduced to 45 feet along the "traditional" storefronts, specifically those areas not redeveloped within the last 20-25 years.

The proposed varied building heights along Third Avenue were developed with consideration of existing conditions, regulations and new policies established by the 2005 General Plan. In December of 2005, after nearly 5 years of extensive community input, the General Plan was adopted and included the following Policy LUT 50.12, which states that:

"Along the immediate street frontage of the Third Avenue corridor, primarily between E and G Streets, buildings shall be predominantly low-rise, with mid-rise allowed, provided that upper stories are stepped back from the facade and are architecturally compatible with surrounding development."

The Public Review Draft UCSP proposed the majority (75%) of Third Avenue frontage along E and G Streets as low-rise, with heights up to 45 feet, while the remaining (25%) of Third Avenue frontage was proposed for mid-rise, with heights up to 84 feet (seven stories) with mandatory minimum 15-foot setbacks at 35 feet. *Of the approximately 50 lots fronting along Third Avenue between E Street and G Street, only 11 parcels would have development standards allowing mid-rise heights of up to 84 feet, again with mandatory setbacks at 35 feet.* These parcels are located at the "entrance" to the

Village area at Third and E, in the Park Plaza area on Third, and at the SW corner of Third and Park Way.

The UCSP contains extensive design guidelines that ensure high-quality building design and integration with the surrounding area. The locations of the mid-rise buildings allow designers, through greater variety of construction types (e.g. concrete and steel), the ability to create an exciting sense of entry to the Village, integrate parking alternatives (e.g. subterranean or wrapped structures), and in general spur redevelopment in areas along Third Avenue that may not otherwise be feasible, especially in the short term. In addition, the new Redevelopment Advisory Committee provides a venue for the public to weigh in early in the development process with comments on the design of future projects, further ensuring high-quality building design and integration.

Recommendation: Based on the analysis summarized above, the proposed maximum building heights along the Third Avenue frontage should be retained as proposed in the Public Hearing Draft UCSP.

2. Issue: Mixed use with residential development should be "permitted" in the Corridors Districts along Broadway and Third Avenue without requiring a Conditional Use Permit.

Analysis: The general mix of uses has been established by the policy direction of the 2005 General Plan and is reflected in the proposed development regulations and standards for these subdistrict areas. However, with regard to land use with residential mix, the Public Review Draft UCSP initially recommended a Conditional Use Permit (CUP) for Mixed Use Residential in the Corridors to focus mixed uses along the mid segment of Broadway (between E and H Street). Staff has subsequently reviewed this requirement, and has recommended minor revisions to the UCSP Land Use Matrix that would allow mixed-use with residential in Corridors sub-districts without a CUP. This is consistent with the land use designations of the GP and vision of the UCSP.

The 2005 General Plan and associated traffic model, which was used as the basis for the UCSP traffic study, assumed the general mix of land uses would include residential. The DEIR for the UCSP (page 5-30 and 5-38) assumed residential uses in the Corridors. The change from "conditional" to "permitted" is procedural in nature and does not change the impact analysis or significance conclusions of the FEIR.

Recommendation: Minor revisions have been made to the land use matrix to allow mixed-use (commercial with residential) as a "Permitted" use rather than by CUP, in C-1, C-2 and C-3. This change is consistent with 2005 General Plan and vision and goals of the UCSP, and the assumptions and conclusions of the FEIR.

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3. Issue: Residential Parking Standards may be too low.

Analysis: Based on public comments and direction from the UCSP Advisory Committee at their final meeting in March 2006 and prior to release of the Draft EIR for public review, the proposed minimum residential parking standards were increased by 50%, from 1.0 to 1.5 spaces per dwelling unit; and 0.5 to 1.0 spaces per dwelling unit in the Transit Focus Areas. In addition, the Draft UCSP has always included a "guest" parking standard of 1 space per 10 dwelling units, whereas currently in other areas of the City there is no separate guest parking standard for residential uses. These minimum residential parking standards included in the Draft UCSP and DEIR EIR are nearly the same as existing citywide standards for multi-family residential: slightly more for studio/1 bedroom units (1.5 spaces CVMC vs. 1.7 spaces UCSP) and slightly less for 2+ bedrooms (1.7 spaces UCSP vs. 2.0 spaces CVMC).

By way of background, typically in urban areas, a greater emphasis on multi-modal mobility choices (walking, bikes, transit, and cars), urban form and design, economic considerations unique to revitalization, and negative effects on the provision of affordable housing, warrant consideration of more flexible parking standards. UCLA Professor Donald Shoup (FAICP) in his book, *The High Cost of Free Parking*, demonstrates that as parking requirements are increased, there is a direct increase in project development costs, negatively impacting housing affordability, and subsequently leading to increased rates of vehicle ownership, traffic volumes, vehicle congestion and air pollution. Additional parking increases in the UCSP would reduce feasible Floor Area Ratios and inhibit the creation of a more balanced split among non-motorized travel modes, including declining public transit. This counteracts many of the pedestrian-oriented measures proposed in the Plan and results in a suburban rather than urban form, creating a scale fit more for cars than for people.

Further, parking standards have little impact on perceived on-street parking "shortages" and little ability to affect "spillover" impacts to adjacent residential areas. Spillover impacts related to the availability of on-street spaces are more likely the result of poor parking management and therefore appropriately addressed through parking management solutions such as performance based meter pricing and residential parking districts. While minimum parking standards are proposed for new development, parking management will be subsequently addressed through the City's Northwest Parking Management Study. The Northwest Parking Management Study, which has already gotten underway, will conclude well in advance of completion of any new development projects.

The Planning Commission, at their meeting on 3/28/07, recommended the alternative minimum residential parking standard presented by staff, for subdistricts other than Transit Focus Areas. This alternative standard is based on the number of bedrooms, rather than a uniform standard of 1.5 parking spaces per dwelling unit. The alternative standard would instead be 1 space per studio and one bedroom units and 2 spaces for two+ bedroom units. The net effect of this alternative would still average 1.5 spaces per dwelling unit. The proposed minimum parking standard alternative will not result in the reduction of parking required and therefore would not change the impact analysis or significance conclusions of the FEIR.

Recommendation: For subdistricts other than Transit Focus Areas, either: 1) retain parking standards as increased for the Public Review Draft UCSP; or alternatively, 2) apply a parking standard of 1 space per studio and one bedroom units and 2 spaces for two+ bedroom units. The net effect of Alternative #2 would still be averaged at 1.5 spaces per dwelling unit, but may be more conducive to creating a greater variety of housing types and size due to reduced construction/parking costs for smaller units (studios and one bedroom). The Planning Commission recommended Alternative #2 residential parking standard at the 3/28/07 public hearing on the UCSP.

4. Issue: New zoning proposed by the UCSP could cause mobilehome parks to close.

Analysis: At the October 24, 2006 City Council meeting, the City Council amended the General Plan to establish a Mobilehome Overlay District and to adopt new policies for the evaluation of the conversion of mobilehome and trailer parks to other types of development. In general, the policy requires that prior to the City's consideration of any proposed change of use to and/or rezoning of a mobilehome or trailer park, a plan must be prepared in conformance with applicable State and City regulations that outlines the steps and provisions to mitigate the adverse impacts of the conversion on affected residents.

Currently, CVMC Chapter 9.40 outlines the process for mobilehome park closures, but has not been updated in 25 years. An update to the ordinance has recently begun and is expected to be complete in six months. The updated ordinance would provide, on a programmatic level, the local requirements for future individual project applicant's park closure plans, including those necessary to mitigate any adverse impacts of the conversion on affected residents.

Recommendation: Defer rezoning pursuant to the UCSP of the mobile home and trailer park areas to a future date, following completion of the update of the mobilehome park closure ordinance (CVMC 9.40). This change would not affect the significance conclusions of the FEIR. The assumptions in the impact analysis would stay the same,

however, the catalyst for any potential impacts (rezoning) would be deferred to a later date.

5. **Issue: The Environmental Health Coalition (EHC) recommends an Air Quality "Buffer" Zone for areas within 350 to 500 feet of the centerline of Interstate 5 to address potential air quality (diesel particulates) effects on new development.**

Analysis: As described in the DEIR, in April 2005, the California Air Resources Board (CARB) published the "Air Quality and Land Use Handbook: A Community Health Perspective." The handbook makes recommendations directed at protecting sensitive land uses, while balancing a myriad of other land use issues (e.g. housing, transportation needs, and economics). It notes that the handbook is not regulatory or binding on local agencies and recognizes that application takes a qualitative approach. As reflected in the CARB handbook, there is currently no adopted standard for the significance of health effects from mobile sources. Although there is no adopted standard for mobile sources such as a freeway, the effects as analyzed in the DEIR were considered to be cumulatively significant.

The only means of effectively reducing these effects is the implementation of source controls. The CARB has worked on developing strategies and regulations aimed at reducing the risk from diesel particulate matter. The overall strategy for achieving these reductions is found in the "Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles" (State of California 2000). A stated goal of the plan is to reduce the cancer risk statewide arising from exposure to diesel particulate matter 75 percent by 2010 and 85 percent by 2020. A number of programs and strategies to reduce diesel particulate matter that have been or are in the process of being developed include the Diesel Risk Reduction Program which aims to reduce diesel particulate emission over the next 5 to 15 years through improved automobile design and alternative fuel efficiency. These programs are outside of the jurisdiction of the City of Chula Vista.

In recognition of the guidance provided in the CARB handbook, the UCSP Development Design Guidelines (Chapter VII, Section G.6) have incorporated site design measures that must be considered by future redevelopment adjacent to I-5, where possible, to help minimize effects. These measures include siting residential uses away from the freeway, tiering residential structures back from the freeway, and incorporating mechanical and structural measures into the building design. While these measures may serve to reduce the severity of diesel particulate emissions impacts, implementation of diesel vehicles source control measures by State authorities would be required to significantly reduce diesel particulate impacts. A mandatory application of

these suggested design measures, such as prohibiting development within 350-500 feet of the centerline of the freeway, would have significant implications on any future development or redevelopment of parcels adjacent to the freeway.

Recommendation: Retain the language in the UCSP Development Design Guidelines that requires new development adjacent to Interstate 5 to consider and implement where possible, site design measures as described in Chapter VII.G.6.

E. ISSUES RAISED AT PLANNING COMMISSION HEARINGS (October 11, 2006 and March 28, 2007)

On October 11, 2006, the Planning Commission opened the public hearing to consider the UCSP and related rezoning actions. The initial public hearing on October 11, 2006 was continued pending the outcome of Proposition 90 on the November 2006 ballot. Subsequently, Proposition 90 failed, and the Planning Commission public hearing was re-convened on March 28, 2007.

A number of requests for modifications to the proposed UCSP land uses and development regulations were received at the October 11 Planning Commission public hearing. The requests suggested revisions either to the land use matrix or individual sub-district zoning sheets contained in Chapter VI Land Use and Development Regulations of the Public Hearing Draft UCSP. Many of the requests also addressed proposed building form, and would constitute minor modifications that, if implemented, would not change the impact analysis or significance conclusions of the FEIR.

Following the October 11th Planning Commission hearing, staff reviewed these suggested revisions for consistency with the GP and FEIR, and with the overall principles of the UCSP. *The following are recommended changes to the UCSP to address some of the issues raised. Those issues that did not result in recommended changes at this time are discussed in Section G.*

1. Issue: Allow ground floor office uses in V-2 and V-3 where fronting on Third Avenue.

Analysis: Currently the Zoning Sheet for V-2 permits 20% non-ground floor office use, and the Zoning Sheet for V-3 permits 10% non-ground floor office uses for any new development. A proposed revision would delete the requirement on these sheets that offices must be located above the ground floor.

The UCSP envisions a gradual change along Third Avenue from predominately first floor offices to more retail uses in order to create a livelier, 24-hour street environment.

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Existing ground floor office uses, currently at about a 50% ratio with commercial retail, can remain as legal non-conforming uses until the space has been vacant for 18 months or more. At that time, the new use is required to be retail. This has raised concerns from businesses along Third Avenue, who fear loss of income if new retail tenants cannot be found, and from the Third Avenue Village Association.

Staff is now recommending an alternative that would allow the market to determine the best use of ground floor space (office or retail) rather than regulating ground floor tenants through the UCSP. This could achieve the gradual migration to more retail uses (as envisioned by the GP), while also addressing the concerns raised by property owners. Recent anecdotal information seems to suggest that the ground floor space along Third Avenue has already begun shifting towards retail, creating less of a need to be as prescriptive in mandating the use of ground floor space. More flexibility and less regulation on the internal use of buildings, in particular the ground floor, is also more in keeping with the tenets of the UCSPs form based zoning approach, which focuses more on creating appropriate urban form and less on the function and interior use of buildings.

With the proposed change, the impact analysis and significance conclusions of the FEIR remain the same or could be lessened because: 1) the mixed use designation (mixed retail/office/residential) was already contemplated by both the 2005 GP and UCSP; 2) any impacts considered in the EIR, such as traffic, were not based on the specific location of individual uses within buildings (i.e. ground floor vs. second floor); and, 3) office uses generate less traffic than commercial uses.

Recommendation: Revise the land use matrix to allow ground floor office use along and adjacent to Third Avenue in subdistricts V-2 and V-3, and make accompanying changes to the V-2 and V-3 zoning sheets.

2. Issue: Lower the minimum building height in UC-3 from 30 feet to 18 feet.

Analysis: This was requested due to concerns about property owners being forced to build higher than desired. A reduction of the minimum required building height is considered a minor change to the development standards for the subdistrict and would not be a significant departure from the guiding principles of the UCSP or vision of the GP. The analysis in the EIR is considered a "worst case," since the minimum height is proposed to be lowered and would lessen the effects already analyzed. In addition, the change to lower the minimum height requirement could result in a reduced density. Therefore, the change would not affect the impacts analysis and significance conclusions of the FEIR.

Recommendation: Lower the minimum building height in UC-3 from 30 feet to 18 feet.

3. Issue: Include provision for processing projects that are currently in the permit processing "pipeline."

Analysis: A pipeline project provision would set procedures for the administration of any projects within the UCSP subdistricts area that have been substantially processed by the City consistent with existing zoning prior to the UCSP adoption. However, this provision is already in CVMC Section 19.07.030, and may apply to any projects within a specific plan.

This is a procedural matter, and would only be considered at the request of an individual applicant. There is no way of determining its future application on an individual project basis at this time, and it does not affect the impacts analysis and significance conclusions of the DEIR.

Recommendation: The effective date section of the ordinance adopting the UCSP will include a reference to the existing pipeline provision for specific plans in CVMC 19.07.030(C).

4. Issue: Permit some flexibility in the application of the UCSP development standards to encourage innovative design and to effectively administer projects with any unforeseen development and/or design challenges.

Analysis: Staff agrees that it may be necessary and appropriate for the Chula Vista Redevelopment Corporation or Planning Commission to authorize certain exceptions to the land use and development regulations, provided that the exception is based on certain findings, including that a better design or greater public benefit would be achieved. Review and consideration of a development standard exception is not

permitted by right but would be considered on a project by project basis concurrent with the review of the Urban Core Development Permit, as outlined in Chapter XI.C.1 of the Specific Plan.

Because this is a procedural change, and would only be considered at the request of an individual applicant, there is no way of determining its future application on an individual project basis at this time, and it does not affect the impacts analysis and significance conclusions of the DEIR. Additionally, any potential new or increased/decreased impacts associated with its application would be identified during project review as part of the Secondary Study process described in the FEIR Section 2.3.3.

Recommendation: Add development exception provisions, as shown in **Attachment 7**.

5. Issue: Clarify the definition of "Minor" Project

Analysis: One request was to identify the correct sub-section in the Municipal Code that defines the term "minor project". Staff has identified sub-section "i" of CVMC 19.14.582 as the correct reference. This editing change does not affect the impacts analysis and significance conclusions of the DEIR.

Recommendation: Include this reference in UCSP Chapter XI – Plan Administration.

F. ON-GOING ISSUE RELATED TO THE CHULA VISTA MUNICIPAL CODE (CVMC) SECTION 19.80 (CUMMINGS INITIATIVE)

The following topic has been raised and discussed at various stages during preparation of the UCSP and its associated public input process. Most recently the topic has been deliberated by the City Council and at public meetings conducted in April 2007. The following summarizes the heart of the debate.

1. Issue: Is the UCSP consistent with Chula Vista Municipal Code (CVMC) Section 19.80 (Cummings Initiative)?

Analysis: In the late 1980s, a citizen's initiative, referred to as the "Cumming's Initiative," was passed by a majority vote of the electorate and was incorporated as CVMC Section 19.80 (Ord. 2309 Initiative 1988). The purpose and intent of the initiative was generally to ensure the quality of life for the residents of Chula Vista through a variety of measures, including preserving the character of the community, ensuring provision of adequate public facilities and services and ensuring the balanced development of the city. The ordinance states that the intent is "*not designed to halt quality growth, but to ensure that rampant, unplanned development does not overtax*

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facilities and destroy the quality and home town character of Chula Vista". In order to accomplish this, the Ordinance requires the staged provision of public services and facilities commensurate with growth through funding mechanisms such as a system of fees collected from developers at the time of new development.

Since the passage of the Cummings Initiative in the late 1980's, many of the quality of life issues described above are now routinely addressed during the City's development review process. The City has established quality of life "thresholds" that are regularly evaluated through the environmental review process as projects are proposed and developed. Development Impact Fees (DIF) have been put in place to require new development to provide their proportionate contribution to public services and facilities.

A Growth Management Oversight Commission has also been established and annually reviews the growth management program with reports submitted to the Planning Commission and the City Council.

CVMC 19.80.070(A) states that Planned Communities (used in the eastern part of Chula Vista) are deemed to be in compliance with the section, but does not address other similar planning documents such as Specific Plans. This oversight is being addressed separately through a minor amendment to the Ordinance, which will clarify that Specific Plans meeting specified findings would also be deemed in compliance. On April 12, 2007, the City Council approved an amendment to CVMC 19.07 and 19.80 (by a vote of 5-0) to make this clarification. The Ordinance adopting the UCSP includes the specified findings as amended in 19.07.012. The UCSP has been prepared pursuant to CVMC 19.07 and is in keeping with the purpose and intent of CVMC 19.80, as it requires new development to provide adequate public services and facilities commensurate with their impact.

The other aspect of Cummings that relates to the UCSP is the so-called "zoning two-step," which only allows zoning density increases of specifically listed residential zones by one "step" every two years (A, R-E, R-1, R-2, and R-3). Because the UCSP contains almost entirely new mixed use zones, and few purely residential zones, it becomes difficult to determine in the areas within the Plan boundaries zoned R-1, R-2 or R-3 what constitutes a 2-step rezone. The area of concern is related to the R-1 and R-2 zoned areas within the UCSP. This constitutes about 28 gross acres, or 4% of the UCSP Subdistricts Area.

Recommendation: In an effort to resolve the concerns raised by the public regarding the areas currently zoned R-1 and R-2, it is recommended that these areas be removed from the UCSP comprehensive rezone. If in the future, individual property owners chose to redevelop their property, the property owner would be required to process a rezone to

bring the underlying zone of their property into conformance with the City's General Plan.

2. Issue: Is the UCSP consistent with the new findings adopted by the City Council on 4/12/07 required for Specific Plans prepared pursuant to CVMC Section 19.07, specifically the finding relating to the provision of public services and facilities?

The short answer is yes, as is demonstrated by the following summary of the information contained throughout the UCSP and associated FEIR, and compiled into Appendix E of the UCSP that addresses the issue of provision of public services and facilities. Additionally, the specific findings that the City Council must make regarding Section 19.07 are included in the UCSP adoption ordinance.

The City of Chula Vista's General Plan was updated in December 2005 and created a new vision for the city. A large part of that vision, developed over a 5 year planning process, focused on the revitalization and redevelopment of western Chula Vista. New growth is planned around "smart growth" principles such as mixed use, and transit oriented development that concentrates infill and redevelopment to select focus areas and corridors to protect stable single family neighborhoods, better utilize land resources, reduce environmental effects and make more efficient use of existing infrastructure.

The General Plan calls for the preparation and adoption of specific plans to carry out the vision of the GP in an organized and orderly fashion. With the approval of new land use designations under the 2005 General Plan, new zoning regulations, in particular mixed use and urban core residential zoning districts, are required to be developed to ensure the systematic implementation of the 2005 General Plan. This requirement to have zoning consistent with the City's General Plan is established by State law and in CVMC Section 19.06.030. The UCSP implements the policies and objectives of the GPU to direct a portion of the growth expected to occur in the City over the next 20 years to the Urban Core Area, by providing zone changes, development regulations and design guidelines to accommodate future growth.

Along with the plan for new land uses, the UCSP also identifies the proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities that would be located within the area covered by the plan and needed to support the land uses described in the plan. In addition, the UCSP includes a program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out the plan.

Specifically, Chapters IX, X, XI and Appendix D of the UCSP and the UCSP FEIR 06-01, including the Mitigation Monitoring and Reporting Program (MMRP), provide an assessment of the demands on public facilities and infrastructure due to development that may occur as a result of the specific plan, and the plan and mechanisms to ensure public facilities and services occur commensurate with subsequent development. Chapter V (Mobility) and Chapter VIII (Public Realm Design Guidelines) provide an expanded discussion and illustrations of some of the public facilities, such as mobility improvements – traffic, pedestrian and bicycle-- and other improvements such as parks and plazas.

As described in the UCSP and FEIR, subsequent new development would be required to provide adequate public services and facilities commensurate with their impact. Appendix D of the Urban Core Specific Plan – Public Facilities Implementation Analysis (Economics and Planning Systems, 2006) provides projected cost estimates, projected timing of facilities, and financing mechanisms and revenues. The revenues are based on projected tax increment and development impacts fees routinely collected as development occurs in the City. These existing City-wide Development Impact Fees (DIF) related to the provision of public facilities include:

- City-wide Park Acquisition and Development (PAD) Fee
- Public Facilities (PF) DIF (police, fire, libraries, and recreation facilities)
- Sewer fees
- Storm drain fees
- Traffic signal fees
- School impacts fees (collected pursuant to Government Code 65996)

These fees would continue to be collected from new development as it occurs in the urban core. Additionally, the Engineering Department will begin developing a Transportation Development Impact Fee (TDIF) within the next year, to address additional funding for future long-term traffic intersection impacts that may occur as a result of “worst case” maximum buildout.

In addition, the UCSP FEIR, prepared as a Program EIR, includes an evaluation of the City’s growth management quality of life thresholds at a programmatic level based on development projections over the course of the next 20 years. The EIR identifies mitigation measures which would be applied on a project-by-project basis during subsequent review of individual development projects. The Final EIR Mitigation Monitoring and Reporting Program (MMRP) provides a summary of the impacts analysis and/or mitigation measures for significant impacts that address provision of public services and facilities. The MMRP ensures that subsequent new development implements timely mitigation for impacts associated with new development, which

includes but is not limited to the installation of infrastructure or payment of fees for needed public facilities as a result of new growth. These requirements would be assured through the subsequent discretionary design review and approval of future project specific Urban Core Development Permits.

Although the UCSP is intended to attract future development to the Subdistricts Area, the timing, location and extent of subsequent development projects are unpredictable because of the unique nature of urban revitalization. To further ensure the timely provision of public services and facilities, monitoring of on-going development activity would be accomplished through the City's existing annual growth management monitoring and reporting. Monitoring programs, such as the traffic monitoring program which monitors the actual performance of the street system by conducting real time roadway segment travel time studies, would track the rate and effect of growth on an annual basis. In addition to the annual growth management review, the bi-annual Budget/CIP cycle and a five year status report would provide additional checks and balances of future growth. The integrated system of growth management programs, standards, regulations, facility master plans, funding systems and monitoring activities provide an effective system of checks and balances to ensure that the provision of public services and facilities keeps in step with new development.

Attachment 8 (Appendix E to the UCSP) has been compiled for ease of reference using the various existing chapters of the UCSP and FEIR to provide a central location of the components of the UCSP Public Facilities and Services Program, prepared pursuant to Chula Vista Municipal Code Section 19.07, Specific Plans, and the California Government Code, Title 7, Division 1, Chapter 3, Article 8, Section 65451.

Recommendation: The UCSP has been prepared pursuant to the recently adopted requirements of CVMC 19.07.012 as it requires new development to provide adequate public services and facilities commensurate with their impact.

G. PREVIOUSLY RECOMMENDED CHANGES THAT ARE NOT RECOMMENDED AT THIS TIME

Based on public input received at the Planning Commission hearings, recently raised California Environmental Quality Act concerns, and the need to do further analysis of the planning and environmental implications, a number of proposals supported by staff and described in the previous Planning Commission reports are now not recommended to be adopted at this time. One proposal recommended by the Planning Commission is not recommended for adoption at this time. Following a more extensive analysis, staff

may bring back some or all of these as future amendments to the Specific Plan. They are summarized below:

1. Issue: Maximum building heights in the UCSP are lower than the State Uniform Building Code (UBC) maximum heights for various construction types (e.g. Type III, V).

Analysis: Based on input received and review of the UBC, there are some limited differences between the maximum height provisions in the Draft UCSP and maximum heights typically associated with low and mid-rise developments of various construction types. For example, Type III construction has a maximum height limit of 65', vs. the UCSP limit of 60', and Type V has a maximum height limit of 50', vs. the UCSP limit of 45'. This height difference could be utilized in expanded ground floor heights, to create an enhanced design of storefronts or entryways. A building height exception of up to 5 feet above the maximum height could be considered on a case by case basis if requested for the sole purpose of allowing an increase in the first floor ceiling height to enhance building design and pedestrian orientation.

This height exception for the ground floor could be applicable to all subdistricts except V-2. It would not be allowed by right, but would be considered, as requested, on a project by project basis and would be evaluated during the design review of the development application. The potential height increases are considered minimal and would maintain building heights typically associated with low and mid-rise structures.

2. Issue: Increase maximum FAR in Corridors District (C-1; C-2; and C-3) from 1.0 to 2.0.

Analysis: The requested Floor Area Ratio (FAR) increase in C-1 through C-3 could be consistent with the land use policies regarding land use intensity/heights established in the GP for these subdistricts. The minor increase in FAR could better align with the urban form and intensity policies described in the GP for these subdistricts, such as low and mid-rise mixed use buildings, with a commercial/office FAR ranging from 0.5 -1.0 plus a residential density of 40 dwelling units per gross acre. The 2005 General Plan traffic model, which was used as the basis for the UCSP traffic study, assumed this mix of uses and level of commercial, office and residential intensity.

An increase to FAR 2.0 could improve neighborhood walkability in the Corridors through improved urban form. New buildings would be better able to provide subterranean parking, which would most likely be precluded under a maximum FAR 1.0 development scenario. Greater design flexibility and additional building area could offset the costs of subterranean parking. Subdistricts C-1 and C-2 are also currently designated as

Neighborhood Transition Combining Districts, which provide enhanced design measures (e.g. setbacks, stepbacks, landscaping, and walls) to transition new development adjacent to lower density (R-1 and R-2) neighborhoods.

Additionally, minor modifications to the parking locations description on the C-1, C-2, and C-3 zoning sheets to disallow parking in the front of the building could be proposed in the future with this FAR increase. This change could further enhance building form and walkability by focusing new development along the streetwall rather than set back and separated by front parking lots, and would in some areas, provide further separation between new buildings to adjacent lower density (R-1 and R-2) neighborhoods.

3. Issue: Remove Lot Coverage requirements from all sub-districts due to concerns that the standard could overly restrict building form.

Analysis: Additional comments addressed the issue of urban versus suburban form and whether lot coverage requirements are a necessary and appropriate tool for regulating building form in an urban setting. Based on input from the Planning Commissioners, the community, and the city's consultant, lot coverage requirements may in fact be redundant. The UCSP has other requirements for regulating a building's form, particularly FAR, building height, building setback, building stepback, street wall frontage, open space and parking requirements. All of these development standards will help guide site design and building form, will be applied on a project by project basis, and will have varying results based on the individual characteristics of a parcel.

Subdistricts currently designated as Neighborhood Transition Combining Districts would also provide enhanced design measures (e.g. setbacks, stepbacks, landscaping, and walls) to transition new development adjacent to lower density (R-1 and R-2) neighborhoods. In addition, lot coverage maximums may prove counterproductive by allowing or even incentivizing the provision of surface parking as opposed to landscaping and open space.

The UCSP includes other development standards (e.g. building height, building setback, building stepback, street wall frontage, and parking locations) to achieve the building form as envisioned by the 2005 GP.

4. Issue: Combining Village Districts Land Uses to allow some commercial uses in the V-1 subdistrict

Analysis: Public input was received regarding the potential to allow limited neighborhood serving commercial uses, such as coffee shops and small bookstores

within the V-1 subdistrict, to serve the immediate residential neighborhood. The existing condition of this area already includes a mix of residential, commercial and office uses. The UCSP proposed zoning would limit new development to residential only. The minor change to permitted land uses (to allow some commercial use) could better align with the policies described in the GP for this area of the Village. The 2005 General Plan traffic model, which was used as the basis for the UCSP traffic study, assumed a mix of uses including residential, commercial, and office uses.

5. Issue: Adding two parcels to subdistrict V-3 as requested by property owner and recommended by the Planning Commission

Analysis: Two parcels were requested by a property owner, to be added to the V-3 subdistrict based on contiguous ownership and preliminary development concept. The two parcels, specifically located at 311-325 G Street (APN 568-300-0600 and APN 568-300-0700) comprise 0.15 acre and 0.14 acre respectively (total 0.29 acres). The Planning Commission, after considering the applicant's testimony and the minor area that was affected, recommended that these two parcels be added to the V-3 subdistrict. Based on the minor area, it is not anticipated that the addition would change the overall projected buildout anticipated under the GP and UCSP.

CONCLUSION

As the City of Chula Vista is approaching its 100th birthday, it is poised to establish the next chapter in its history. The UCSP is the first in a series of significant zoning documents proposed to implement the vision established by the 2005 General Plan. Adoption of the UCSP would provide an opportunity to renew the economic vitality of the City's urban core similar to the levels enjoyed in the early 1900s and 1950s. Development pursuant to the UCSP would afford a greater diversity of housing choices for residents of the city and region, as well as create more choices to work, shop and play. In return, new development would generate new sources of revenue to implement the significant urban amenities and public improvements identified in the UCSP.

Preparation of the UCSP soon after the adoption of the 2005 General Plan was intentional to try to capture development potential under current and future housing and commercial markets. Upon adoption of the UCSP, the following projects/programs are recommended as short term demonstration projects to provide a "catalyst" for implementation of the UCSP:

1. Pursue Immediate Redevelopment of Opportunity Sites
2. Prepare and Implement the Third Avenue Streetscape Master Plan and Improvements
3. Improve the Existing Storefront Renovation Program

The UCSP calls for the sensitive and appropriate revitalization necessary to implement the GP and respond to the needs of the community in a harmonious fashion. It strikes a balance between more housing opportunities, new shopping experiences, greater transportation choices, and provides new revenue sources for the public improvements necessary to help revitalize the City's urban core. Coupled with other private development activity, the short term demonstration projects listed above would begin the revitalization process in the UCSP area.

FISCAL IMPACT

As a planning document, the adoption of the UCSP will have no direct fiscal impact to the City. However, as projects, both private and public, are implemented both a revenue stream and cost factors will be realized.

As the Urban Core is undergoing reinvestment and redevelopment, the importance of various improvements and the appropriateness of various funding mechanisms in a context of competing policy and financial priorities, as well as under market conditions will evolve through the next several decades. As implementation of the UCSP occurs, additional information regarding specific fiscal impacts of future individual projects and work items will be brought to the City Council.

ATTACHMENTS

1. Public Hearing Draft Urban Core Specific Plan - PCM No. 07-01 (provided under separate cover)
2. Final EIR No. 06-01, SCH #2005081121 (provided under separate cover)
3. Redevelopment Agency Report to the City Council
4. Urban Core Specific Plan Subdistricts Area Map
5. General Plan Consistency Analysis
6. Comment Letters received on the Public Review Draft UCSP (April 2006)
7. Appendix E - Urban Core Specific Plan Public Facilities and Services Program
8. Development Exceptions - Insert in UCSP Chapter VI.I
9. Planning Commission Resolution - PCM 07-01

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